

**TELEPHONE DISCUSSION ON JUNE 19, 2002**

Initially, Applicants would like to thank Examiner Rafael Perez-Gutierrez for taking the time to discuss the present application with Applicant's representative on June 19, 2002. Even though the parties did not reach an agreement, the Examiner indicated that he would give further consideration to the points raised by Applicant's representative, which are summarized below.

**PRIOR ART REJECTIONS**

Claims 1, 8, 15, and 17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,255,307 to Mizikovsky (hereinafter Mizikovsky) in view of U.S. Patent No. 6,018,655 to Bartle et al. (hereinafter Bartle). This rejection is respectfully traversed for the following reasons.

Applicants respectfully maintain their arguments with respect to this rejection, as previously submitted in the Amendment filed February 26, 2002. However, for the sake of brevity, these arguments have not been repeated in their entirety below. Instead, Applicants have focused on responding to the Examiner's arguments in the outstanding Office Action.

The independent claims each recite a method or wireless terminal for alerting a user of a hand-off of a call from a first communication service station to a second communication service station, in which it is

determined whether a received identifier of the second communication service station is at least one of a collection of acceptable identifiers stored at the wireless terminal. In the Amendment filed February 26, 2002, Applicants argued that none of the references discloses determining whether a received identifier is at least one of a collection of acceptable identifiers of a communication service station. Applicants further argued that it would not have been obvious to one of ordinary skill in the art to include a plurality of system identification data numbers (SID's) in the memory of Mizikovsky's disclosed mobile station (wireless terminal) in order to perform the above determining step, as asserted by the Examiner.

In the outstanding Office Action, the Examiner responds to this argument by stating that Mizikovsky's disclosure that the status indicator of the mobile station is selectively controlled as the mobile station moves through service cells of different providers clearly suggests the storage and use of a collection of acceptable identifiers. Applicants respectfully disagree.

Applicants first point out that the mobile station disclosed by Mizikovsky fails to perform any type of determination of whether a received service station identifier matches a stored service station identifier when the mobile station is in active mode (i.e., when a call is being conducted). Column 2, lines 12-20 of Mizikovsky disclose that the

mobile station is unable to receive an identifier from the base station (service station) while it is in active mode.

Instead, Mizikovsky teaches that the base station to which an active call is being handed off determines whether a received mobile station identifier matches one of a collection of stored mobile station identifiers in order to determine whether or not the mobile station is in a ROAM status. See column 9, line 21 through column 10, line 10 of Mizikovsky. Applicants' claimed invention does not recite the use of a received mobile station identifier. Rather, the claimed invention determines whether a received service station identifier matches at least one of a collection of service station identifiers.

Mizikovsky's base station determines whether the received mobile station identifier matches one of a collection of acceptable identifiers during handoff, even if the mobile station is in idle mode (i.e., no call is being conducted). This is done in order to determine whether the mobile station should be given a preferred status (i.e., HOME status), even though the base station identifier does not match the single stored identifier in the mobile station.

Accordingly, Mizikovsky *teaches away* from matching a service station identifier to one of a collection of acceptable service station identifiers to determine the HOME/ROAM status of the mobile station, in favor of making the HOME/ROAM determination based on whether a

wireless terminal identifier matches one of a collection of wireless terminal identifiers.

For the reasons set forth above, one of ordinary skill would not have been motivated to store a plurality of acceptable identifiers in Mizikovsky's mobile station, as proposed by the Examiner. Applicants respectfully submit that the Examiner's proposed modification would change the principle of operation of Mizikovsky, and is therefore not sufficient to render the claims *prima facie* obvious. See MPEP §2143.01.

Claims 2-7, 9-14, 16, and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Mizikovsky and Bartle, and further in view of U.S. Patent No. 6,201,957 to Son et al. (hereinafter Son). Applicants respectfully submit that Son fails to remedy the deficiencies of Mizikovsky and Bartle, as set forth above with respect to independent claims 1, 8, 15, and 17. Accordingly, Applicants respectfully submits that claims 2-7, 9-14, 16, and 18 are allowable at least by virtue of their dependency on claims 1, 8, 15, and 17.

### **CONCLUSION**

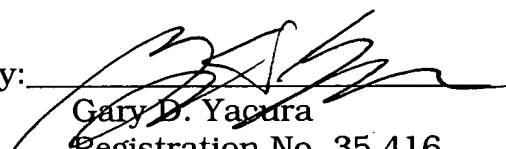
Entry of this Request for Reconsideration is respectfully requested. In view of the above remarks, Applicants respectfully request reconsideration of the various rejections and allowance of claims 1-18.

In the event that there are any outstanding matters remaining in the present application, the Examiner is invited to contact Jason Rhodes at (703) 390-3030 in the Washington, D.C. area, to discuss the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. 1.16 or under 37 C.F.R. 1.17; particularly, extension of time fees.

Respectfully submitted,  
Harness, Dickey & Pierce, P.L.C.

By: \_\_\_\_\_

  
Gary D. Yacura  
Registration No. 35,416

GDY/JWR/dg

12355 Sunrise Valley Drive  
Reston, Virginia 20191